

Thomas, Sean

From: Callas, Gretchen
Sent: Thursday, June 4, 2020 9:52 PM
To: Thomas, Sean
Subject: Fwd: Cabell Huntington Hospital/St. Mary's Hospital Subpoena
Attachments: 2020.5.28 Ltr to Cabell-Huntington Hospital and St. Mary's Medical Center re Search Terms.pdf

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From: Callas, Gretchen <GCALLAS@jacksonkelly.com>
Sent: Thursday, May 28, 2020 6:25:19 PM
To: Ryan Q Ashworth <rqa@bcyon.com>
Subject: Cabell Huntington Hospital/St. Mary's Hospital Subpoena

Ryan,

As we discussed today, here is a letter setting out custodians we believe would have information relevant to our document subpoena requests and a list of search terms. Let me know if you have any questions or if there is any guidance you need on this.

The particular areas you and I discussed today for a targeted search of documents include:

1. CME or Grand rounds related records going back to 1998 addressing topics including pain, intractable pain, pain management, opioid use, abuse or dose.
2. CMS (Centers for Medicare and Medicaid Services) guidelines, grades or requirements for effective treatment of pain and patient satisfaction related to pain management or treatment since 2000.
3. PEIA guidelines, policies or requirement for treatment of pain and reimbursement for same since 2000.
4. Documents related to visits, in service or other contacts with representatives of pharmaceutical companies specifically related to opioids.
5. Policies related to dose and use of opioids, including those tied to patient pain levels.
6. Board of Directors minutes or action plans related to pain or pain management generally, and specifically in connection with the Joint Commission.
7. Policies or procedures specific to pain, pain management and opioids issued by or arising from the Pharmacy and Therapeutics Committee.
8. Policies or procedures related to the morphine equivalent scale.

Let me know if there are any issues with this list or the proposed dates. As we discussed, I will let Judge Wilkes know tomorrow that though we continue to work together on this document production, we might need his help with the scope of the peer review privilege.

Gretchen

Gretchen M. Callas
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Via U.S. Mail and E-mail

Cabell Huntington Hospital; and
St. Mary's Medical Center
c/o Ryan Q. Ashworth, Esq.
401 Tenth Street, Suite 500
Huntington, WV, 25701
rqa@bcyon.com

Re: Search Terms for Third-party Subpoenas Directed to Cabell Huntington Hospital and St. Mary's Medical Center - *City of Huntington v. AmerisourceBergen Drug Corporation, et al.*, Case No. 3:17-013762; *Cabell County Commission v. AmerisourceBergen Drug Corporation, et al.*, Civil Action No. 3:17-cv-01665

Dear Mr. Ashworth:

I write to follow up regarding the subpoenas that were served on your clients, Cabell Huntington Hospital and St. Mary's Medical Center (collectively the "Hospitals"), on March 12, 2020, and April 10, 2020, respectively. On or around April 27, 2020, you and I agreed to combine the responses to the Hospitals due to the relationship each has with Mountain Health Network. To better aid the Hospitals' search for responsive documents, I have provided names of custodians whose files we would like the Hospitals to search well as suggested search terms.

Cabell Huntington Hospital Custodians

Hoyt Burdick, Chief Medical Officer and Senior Vice President, St. Mary's Medical Center;
Chief Clinical Officer for Mountain Health Network

Amy Shultz, Directory of Pharmacy Services

Steve Carter, Assistant Director of Pharmacy Services

Gary Cremeans, Medical Director of Urgent Care

Rosemary ("Bunny") Smith, Executive Director

Ahmet Ozturk, Medical Director of CHH Pain Center

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St. Mary's Medical Center Custodians**Libby Bosley**, Vice President of Patient Services and Chief Nursing Officer**David Sheils**, Interim Vice President of Support Services**Joey Trader**, Vice President of Schools of Nursing and Health Professionals**Aaron Blevins**, Director of Pharmacy and Drug Information**(Roderick) Allen Young**, Director of Occupational Medicine**Rudy Malayil**, Pain Specialist**Melissa Arthur**, Pharmacy Operations Coordinator**Sharon Jones**, Pharmacy Clinical Coordinator/Residency Program Director**Search Terms**

No.	Terms
1.	"Cardinal Health" OR Cardinal OR McKesson OR Amerisource* OR ABDC OR BERGEN OR BRUNSWIG OR Anda OR "Prescripton Supply" OR "H.D. Smith" OR "HD Smith" OR Miami-Luken OR "Noramco" OR "Bellco" OR "Kinray" OR "PSS World"
2.	opioid* OR opiate*
3.	heroin OR fentanyl OR Fent* OR phentanyl
4.	OxyContin OR "MS Contin" OR Dilaudid* OR Butrans OR Hysingla* OR Targiniq* OR Kadian OR Norco OR Actiq OR Fentora OR Duragesic OR Nucynta* OR Opana OR Percodan OR Percocet OR Zydane OR Subsys OR Exalgo OR Roxycodone OR Xartemis* OR Methadose OR Zohydro
5.	oxymorphone OR oxycodone OR morphine OR hydrocodone OR hydromorphone OR hydromorphine OR buprenorphine OR fentanyl OR tapentadol OR carfentanil
6.	medication assisted treatment" OR "MAT" or Narcan OR naltrexone OR naloxone OR Evzio OR Revia OR Vivitrol OR Bunavail OR Zubsolv OR buprenorphine OR methadone OR suboxone or Sublocade or Probuphine

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7.	<p>(pill w/2 mill*) OR “pill mill” OR “pillmill*” OR overdos* OR (over w/2 dose*) OR (suspicious w/10 (rx* OR prescri* OR pharm* OR script* or order*))</p> <p>OR</p> <p>(Rogue w/3 (prescriber* OR doctor* OR physician* OR pharmac* OR clinic* OR dentist* OR veterinar* OR nurse*))</p> <p>OR</p> <p>(co-prescri* w/5 (benzo* or soma* or carisop* or xanax* or alpraz*)) or (trinity w/4 cocktail)</p> <p>OR</p> <p>“doctor shop*” OR (doctor* w/3 shop*) OR (forg* w/10 (prescrip* OR script* OR rx*))</p>
8.	<p>((Drug* OR prescri* OR pharmac* OR narcotic*) w/3 (diversion OR divert* OR distrib* OR wholesaler*))</p> <p>OR</p> <p>(diver* w/15 ((control* w/2 (med* OR substance*)) OR controlled OR CII OR CII* OR CIII OR CIII* OR class* OR schedule* OR narcot* OR drug* OR prescri* OR script* OR rx* OR pill*))</p> <p>OR</p> <p>((“red-flag*” OR “red flag*”) w/10 (misus* OR abus*))</p> <p>OR</p> <p>“know* your customer*”</p>

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9.	<p>HIDTA OR ARCOS OR ODMAP</p> <p>OR</p> <p>(fraud* w/5 ((control* w/2 (med* OR substance*)) OR controlled OR CII OR CIIIs OR CIII OR CIIIs OR class* OR schedule* OR narcot* OR drug* OR prescri* OR script* OR rx*))</p> <p>OR</p> <p>((drug* OR prescript* OR pill* OR pharmac* OR narcotic*) w/15 (steal* OR stolen OR theft* OR robber* OR burglar*))</p> <p>OR</p> <p>(drug* w/3 (traffic* OR ring* OR deal* OR gang*)) OR “drug amnesty” OR OCDEFT OR “Organized Crime Drug Enforcement Task Force”</p>
10.	<p>(Drug* w/15 (dispos* OR “take-back*” OR takeback* OR “take back*))</p> <p>OR</p> <p>drug reclamation” OR “operation medicine cabinet” OR Detera OR “needle exchange” OR “syringe exchange” OR “harm reduction” OR “substance abuse prevention” OR “Recovery Court” OR “Second Chance Court” or “treatment court”</p> <p>OR</p> <p>“drug court” OR “diversion court” OR “diversion program” OR “intervention court” OR “Substance Use Disorder” OR ODMAP OR “Overdose Detection Mapping Application Program” or ((substance* or drug* or prescription*) w/5 (Abus* or misuse* or use or test* or screen* or treat* or addict* or counsel* or recovery))</p> <p>OR</p> <p>peer recovery or peer-based support or peer coach* or recovery housing or recovery residence*</p> <p>OR</p> <p>((1115 or 11*15 or SUD) /5 waiver) or data 2000 or 2000 waiver</p>

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11.	<p>painkiller* OR “pain-killer*” OR “pain killer*” OR “pain medic*” OR analgesic*</p> <p>OR</p> <p>(pain w/15 (manage* OR chronic* OR acute* OR “long-term” OR “long term” OR “log term” OR “longterm” OR breakthrough OR “break-through” OR BTP OR extend* OR treat* OR doctor* OR “Dr.” OR prescrib* OR prescript* OR script* OR rx* OR nurse* OR physician* OR specialist* OR provider* OR HCP* OR PCP* OR pharmac* OR dentist* or polic* or guideline* or addict* or care))</p> <p>OR</p> <p>PMP OR “prescription monitoring program” OR PDMP OR “prescription drug monitoring program”</p> <p>OR</p> <p>“5th vital” “fifth vital”</p> <p>OR</p> <p>((rx* OR prescri*) w/15 excess*) OR overprescri*</p> <p>OR</p> <p>((“joint commission” OR “press ganey”) w/15 (pain OR prescri*))</p>
12.	<p>((task force OR taskforce OR committee* OR subcommittee*) w/10 (narcotic* OR drug*))</p> <p>OR</p> <p>((cost* OR budget* OR expen* OR grant* OR fund* OR money OR monies*) w/10 (“drug use” OR “drug abuse” OR “substance use” OR “substance misuse” OR SUD))</p>
13.	<p>“Neonatal Abstinence Syndrome” or NAS or “neonatal opioid withdrawal syndrome” or NOWS or Substance-exposed or “prenatal drug exposure” or “prenatally-exposed” or “substance affected” or “prenatal exposure” or “affected infant”</p>

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14	“Road To Recovery” or help4vw* or “Lily’s Place” or “Lilys Place” or SBIRT or LARC or “Long-Acting Reversible Contraceptive*” or “Quick Response Team” or QRT or “Project Engage” or ProAct or “Compass Project” or “Creating Opportunities for Recovery” or ((ER or “Emergency Room*”) w/10 “Expansion Grant”) or “SOR Project” or “substance use epidemic” or “SUD epidemic” or “SUD crisis” or “resiliency plan” or syndemic or “synergistic epidemic”
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Please do not hesitate to reach out if you have any questions. Thank you for your attention to this matter.

Sincerely,

/s/ Gretchen M. Callas

Gretchen M. Callas
Jackson Kelly PLLC